



Sen. Terry Link

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1 AMENDMENT TO SENATE BILL 847

2 AMENDMENT NO. _____. Amend Senate Bill 847 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Public Library District Act of 1991 is
5 amended by adding Section 15-82 as follows:

6 (75 ILCS 16/15-82 new)

7 Sec. 15-82. Disconnection from district.

8 (a) Any municipality or township that has a public and
9 tax-supported library established under the provisions of any
10 statute may be disconnected from a public library district by
11 one of the following methods:

12 (1) If a tax-supported public library is established in
13 any municipality or township lying wholly or partially
14 within a library district, the Board of Trustees of the
15 library district may enact an ordinance providing for the
16 disconnection of the library district from the
17 municipality or township and providing for an appraisal
18 setting forth the value of the tangible property of the
19 district, the liabilities of the district, and the excess
20 of the liabilities over the assets.

21 The Board of Trustees shall provide for the
22 disconnection and appraisal only if (i) the territory to be
23 disconnected comprises less than 10% of the district or
24 (ii) the taxes collected by the district from the territory

1 to be disconnected amount to less than 10% of the total
2 amount of library taxes collected by the district annually.

3 (2) The electors of the library district residing in
4 both the municipality or township and the library district
5 may call for the disconnection by filing with the Board of
6 Trustees a petition signed by at least 100 of the electors
7 residing in both the municipality or township and the
8 library district. The Board must certify the question to
9 the proper election authority, which must submit the
10 question to the electors residing in both the municipality
11 or township and the library district at an election in
12 accordance with the Election Code.

13 The election authority must submit the question in
14 substantially the following form:

15 Shall the (insert name of township or
16 municipality) be disconnected from (insert name of
17 library district)?

18 If a majority of the electors voting on the question
19 vote in the affirmative, then the library district is
20 disconnected from the municipality or township.

21 (b) The district shall, upon enactment of a disconnection
22 ordinance or upon an election approving disconnection, file
23 with circuit court in which a majority of the disconnected
24 territory lies an appropriate petition and a certified copy of
25 the said ordinance or a certificate by the Board of the results
26 of the election. The petition shall request entry of an order
27 of disconnection and the preparation of an appraisal setting
28 forth the value of the tangible property of the district, the
29 liabilities of the district, and the excess of the liabilities
30 over tangible assets or property. Notice shall be published by
31 and within the disconnecting territory.

32 The circuit court shall, after a hearing upon the matter,
33 enter its order revising the limits and boundaries of the
34 district and setting forth the liability, if any, yet to be

1 retired and paid for by the property owners of the disconnected
2 territory.

3 (d) When any territory has been disconnected from a
4 district under this Section and the court order providing for
5 the disconnection also sets forth a continuing liability to be
6 paid by the property owners of the disconnected territory, then
7 the county collector of each county affected shall debit upon
8 his or her books the taxes to be paid and thereafter levied by
9 the district and extended against taxable property within the
10 disconnected territory. The county clerk shall continue to
11 extend district library taxes upon the taxable property within
12 the disconnected territory, and the county collector shall
13 continue to collect district library taxes upon the taxable
14 property within the disconnected territory until the excess
15 liability has been paid and retired.

16 Until final and full payment of the liability, the
17 residents and property owners of the disconnected territory
18 shall be entitled to full and free library service from the
19 district. Upon the date of disconnection, the residents and
20 property owners of the disconnected territory shall no longer
21 be subject to any tax levies by the district. Upon full and
22 final payment of the liability and thereafter, no resident or
23 property owner of the disconnected territory shall have any
24 right, title, and interest in and to the assets and tangible
25 property of the district affected by the disconnection.

26 (d) The disconnecting territory shall bear all expenses of
27 a disconnection election and all other costs and expenses
28 incurred as a result of disconnection under item (1) of
29 subsection (a).

30 (e) The Board shall record a certified copy of the
31 disconnection order with the recorder of deeds and with the
32 county clerk and county collector of each county affected.

33 Section 99. Effective date. This Act takes effect upon

1 becoming law.".